



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA

Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 46

Comm #: 54639-8061-42

BRRTS #: 03-63-179151

Site Name: Quik Sales & Service (Former)

Site Address: 242 S State St, La Farge, 54639

Site Manager: David Swimm

Address: P.O. Box 8044

City, State Zip: Madison, Wisconsin 53708-8044

Phone: (608) 264-8766

e-mail: [mailto: David.Swimm@Wisconsin.Gov](mailto:David.Swimm@Wisconsin.Gov)

Bid Manager: David Swimm

Address: P.O. Box 8044

City, State Zip: Madison, Wisconsin 53708-8044

Phone: (608) 264-8766

e-mail: [mailto: David.Swimm@Wisconsin.Gov](mailto:David.Swimm@Wisconsin.Gov)

Bid-Start Date:	November 20, 2006
Questions must be received by (See Section 2 (B)):	December 04, 2006, 4:00 PM
Responses will be posted by (See Section 2 (B)):	December 22, 2006
Bid-End Date and Time:	January 05, 2007, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Action Legal-Madison, 1 E Main, Madison, WI 53703

Phone: (608) 663-1041

Fax: (608) 663-1045

SECTION 2 – Site-Specific Bid Requirements

A) Bid Manager Comments

1) General Comments:

The site has an area of significant shallow soil contamination that is coincident with a shallow water table. Depth to groundwater across the source area is approximately 2-5 feet below ground surface (bgs). Shallow soils reportedly are silt, silty clay and gravel fill to approximately 7-10 bgs, and are underlain by permeable sands and gravels. Unfortunately, given the shallow groundwater and construction of the existing monitoring well network, the well screens are submerged. Groundwater has been shown to flow in a south to southwesterly direction. Groundwater contamination has been shown to be very modest relative to the levels of shallow soil contamination. Underground and overhead utilities are located along the west side of the source property and along the Spring Street ROW (right-of-way).

The levels of petroleum-related shallow soil contamination are well above any generic or possible site-specific RCLs. Consequently, for closure a significant soil excavation shall be conducted. The area of significant soil contamination appears to extend off-site to the south, probably due to smear zone contamination associated with the shallow water table.

The October 13 2006 Status Update Letter and January 8, 2001 Status Update and Request for Contaminants of Concern correspondence submitted by Envirogen and Shaw Environmental, respectively, are available at the copy shop. The October 2006 correspondence provides groundwater data, and the January 2001 correspondence provides soil data. The case file contains other information not provided to the copy shop, including a March 7, 2000 Report of Preliminary Findings submitted by Envirogen that contains much of the site investigation information. Commerce encourages potential bidders to review the case file at the Commerce office in Madison. Contact Kristi Prindle at (608) 267-3753 for an appointment.

2) Minimum Remedial Requirements:

Phase 1:

Conduct a round of groundwater sampling from the existing monitoring well network before any excavation activities are conducted. Collect samples from MW-1, MW-2, MW-3, MW-4, and MW-7 and analyze for PVOCs. Measure water levels in all the wells. Dispose of any generated waste. It may be difficult to locate the monitoring wells. Gravel has been placed on the Spring Street ROW and numerous vehicles are located on the source property. The contractor that performs this work shall bring a quality (not a toy) metal detector with them to locate the flush mount wells. Bidding consultants should anticipate additional time in their bid to locate all the monitoring wells.

Provide a revised base map that shows the northerly property boundary for the property south of the source property. There is an intervening City/Village ROW (Spring Street). This will likely require communication with the appropriate City/Village personnel.

Submit the Phase 1 results in a letter report to Commerce no later than 1 month after the laboratory results of the groundwater sampling have been received.

Phase 2:

Conduct a remedial excavation to remove the highly contaminated soil at HA-1, HA-2, HA-3, GP-1, GP-3, TB-7, GCP-7, GCP-8, GCP-9, MW-1, and MW-4 (see figure on web site). The excavation shall extend vertically to 4 ft below ground surface (bgs). The excavation shall not be conducted during high groundwater levels. Water levels will be considered high when shallower than 3 feet below top of casing in MW-1. Bidders shall include in their bid the cost for at least three site visits before the excavation (over and above the phase 1 work) to confirm that water levels are acceptable.

MW-1 and MW-4 shall be abandoned prior to conducting the excavation.

Field screening shall be conducted to allow a representative number of appropriately spaced confirmation sidewall and bottom samples to be taken in all areas of excavation and analyzed for PVOCs plus naphthalene.

For purposes of this bid, bidders shall assume the excavation and disposal of 1,500 tons of contaminated soil. Backfilling activities shall include appropriate compaction and the final grade across the entire excavation area shall include 6" of gravel of an equivalent quality to the gravel already present in the Spring Street ROW. An exception to the final grade requirement may be the small area south of the Spring Street ROW. Bidders shall assume the city/village will need to be notified concerning the excavation in the Spring Street ROW. Bidders shall assume the property owner south of the Spring Street ROW will need to be notified and that an access agreement will need to be obtained. Bidders must include on page three of their bid response a per ton unit excavation and disposal cost (commodity cost only) to be used to adjust the cap in the event there is significantly more or less tonnage is actually removed and disposed (contingency cost). The unit cost should include all commodity-related costs including additional soil sampling costs. In the event more soil is removed than anticipated by the bid amount, no additional consultant costs will be provided. If a cost cap adjustment is necessary, at that time copies of commodity provider invoices will be required to confirm the value used for the bid contingency cost. Failure to provide a contingency unit cost will result in a non-compliant bid.

Submit the result of the phase 2 results in a letter report no later than one month after the excavation has been conducted.

Based on the results of the phase 1 and 2 results, Commerce will determine the appropriate next phase of work. Bidders shall provide contingency costs as indicated on page 2 of their bid responses (see below).

Claim Submittal:

Submit a PECFA claim after the excavation work, if the contingency for additional groundwater monitoring is determined by Commerce to be necessary, or submit a final claim after the closure activities are completed, if Commerce determines no additional groundwater monitoring will be necessary and closure is appropriate.

Contingencies:

Provide a unit excavation/disposal (\$/ton) contingency cost (including backfilling activities) reflecting commodity costs only for additional contaminated soil removal. In the event more or less is soil is removed than the 1500 tons specified in this bid, Commerce will adjust the cost cap, using actual commodity provider invoices as confirmation of the contingency cost provided.

While this is not a bid to closure, closure may be appropriate after the excavation activities. Provide all closure related costs, including but not limited to the closure request form, appropriate GIS notifications and submittals, and all monitoring well abandonment.

Additional groundwater monitoring may be necessary after the excavation. Provide the cost for one year of quarterly groundwater monitoring as per the phase 1 groundwater monitoring above. Also, include a round of natural attenuation monitoring (dissolved oxygen, dissolved iron, and nitrates) from all the wells. Note that MW-1 and MW-4 will no longer be available for sampling.

This contingency cost shall include a letter report one month after the final groundwater sampling event. This contingency cost shall also include the cost for a second PECFA claim submittal (presumably a final after closure costs have been incurred).

The determination of the winning bid (lowest compliant bid costs) will be based on overall costs. The initial bid cost cap will be based on the phase 1 bid costs provided in the lowest compliant bid. The phase 2 costs will be approved after the phase 1 activities have been determined by Commerce to be complete. Commerce reserves the right to use the contingency costs provided to help determine the lowest compliant bid.

SECTION 3 - Reporting Timeframes:

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).

6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

4) Claim Submittal:

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

B) Bidder's Strategy for Remedial Action

Provide a detailed description of the work to be performed. The description must provide sufficient detail to establish that the proposed strategy will be successful in completing the specified scope of work identified above.

C) Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.

7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

- 1) Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
- 2) Failed to complete the scope of work in a bid in a timely manner.
- 3) Failed to follow DNR rules on the bid project.
- 4) Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
- 5) In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
- 6) Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
- 7) Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE
(1st Page)

Department of Commerce PECFA Program

SITE NAME: Quik Sales & Service (Former)
COMMERCE #: 54639-8061-42
BRRTS #: 03-63-179151

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____
Complete Mailing _____
Address: _____

Telephone: () - _____
Fax Number: () - _____
E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License #	_____
<input type="checkbox"/>	Professional Geologist	License #	_____
<input type="checkbox"/>	Hydrologist	License #	_____
<input type="checkbox"/>	Soil Scientist	License #	_____

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE
(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Quik Sales & Service (Former)
COMMERCE #: 54639-8061-42
BRRTS #: 03-63-179151

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

Phase 1 activities and report out	\$	
Phase 2 activities and report out	\$	
PECFA Claim Preparation	\$	
Total Bid Amount	\$	
Contingency cost (commodity only) for additional soil excavation and disposal (\$/ton)		
Contingency cost for all closure related costs, including but not limited to well abandonment, closure request, GIS packet, etc.		
Contingency cost for one year of post-excavation groundwater monitoring and reporting. Sampling will be per the Phase 1 activities less MW-1 and -4. Include the cost for a second PECFA Claim Preparation		